

TOWNSEND and TOWNSEND and CREW LLP

By : /Janet L. Newmaker/
Janet L. Newmaker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Charles Whitaker et al.

Application No.: 10/675,929

Filed: September 29, 2003

For: Systems And Methods For
Verifying Medical Insurance
Coverage

Customer No.: 20350

Confirmation No.: 2374

Examiner: Kristine K. Rapillo

Art Unit: 3626

**RESPONSE TO NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF**

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notification Of Non-Compliant Appeal Brief" ("Notice")
mailed July 11, 2008, Appellants present the following explanation regarding claim 21.

The Notice asserts that the Appellants' Brief is non-compliant for failure to
contain a concise statement for each ground of rejection presented for review and for not
presenting an argument under a separate heading for each ground of rejection on appeal.
Specifically, the Notice says that the "grounds of rejection and argument section fail to present
the examiner's 103(a) rejection of claim 21."

The Notice appears to be improper. The Appellants have not placed the Examiner's 103(a) rejection of claim 21 at issue. The rejection of claim 21 is not on appeal except by virtue of its dependence from claim 19. See Appellants' Brief, Section 7 - Argument, Issue 2. Hence, the Notice is improper because its assertion is contrary to the rules.

Respectfully submitted,

Date: August 8, 2008

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